



Office of Small Business and Entrepreneurship
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May 28, 2015

Kimberly Crawford
Staff Attorney
FSSA – Office of General Counsel
402 W. Washington Street, Room # W451
Indianapolis, IN 46204-2243

Dear Ms. Crawford,

Pursuant to IC 4-22-2-28, the Indiana Office of Small Business and Entrepreneurship (“OSBE”) has reviewed the economic impact analysis for small business associated with rule changes contained in LSA Document 14-337 proposed by the Indiana Family and Social Services Administration (“FSSA”) Office of Medicaid Policy and Planning (“OMPP”). The proposed rule amends 405 IAC 5-22-1 to amend the definition of maintenance therapy and add a definition of rehabilitative services and applied behavioral analysis therapy services. It amends 405 IAC 5-22-6 to make changes to coverage requirements for medically necessary occupational therapy services, physical therapy services, respiratory therapy services, and speech pathology services for individuals under twenty-one (21) years of age. It amends 405 IAC 5-22-8 to make changes to physical therapy services provided in an outpatient setting. It amends 405 IAC 5-22-1 to make changes to when respiratory therapy services will be reimbursed. It amends 405 IAC 5-22-11 to update the licensure and supervision requirements for occupational therapy assistants in accordance with IC 25-23.5-1-6 and IC 25-23.5-3. It adds 405 IAC 5-22-12 to add applied behavioral analysis therapy services as a reimbursable component. Effective 30 days after filing with the publisher.

The economic impact statement prepared by FSSA states the rule should not impact any additional impact to small businesses, other than their routine administrative costs of compliance, and FSSA – OMPP expects this increase will be more than offset by increases in revenue for providing services. OSBE does not object to the economic impact to small business associated with the proposed rule. If you have any questions about the comments contained herein please contact me at 232.5679 or ombudsman@osbe.in.gov.

Regards,

A handwritten signature in black ink that reads "Erik Scheub".

Erik Scheub